

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

**UNITED STATES OF AMERICA,
Plaintiff / Respondent.**

v.

**MARGARITA FONSECA BERMUDEZ,
Defendant / Petitioner.**

CRIMINAL NO. 99-256(PG)

**UNITED STATES RESPONSE TO
PETITIONER'S MOTION TO VISIT HER CASE
IN LIGHT OF FANFAN & BOOKER RULINGS**

TO THE HONORABLE JUDGE:

COMES NOW, the United States of America, through the undersigned attorney's and very respectfully states as follows:

1. Petitioner has filed a motion requesting this Honorable Court to re-visit her case in light of the Fanfan and Booker Rulings. Nevertheless, the defendant pled guilty pursuant to a plea agreement wherein she accepted the drug quantities she conspired to distribute and never objected to the then mandatory guidelines.

WHEREFORE, the United States submits that defendant's motion should be denied accordingly.

RESPECTFULLY SUBMITTED,

In San Juan, Puerto Rico, this 4th day of May, 2005.

H.S. GARCIA
United States Attorney

Sonia Torres 209310
Chief, Criminal Division
Assistant U.S. Attorney
United States Attorney's Office
Suite 1201, Torre Chardon
350 Chardon Street
Hato Rey, Puerto Rico 00918
Tel: (787) 766-5656

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Fax: (787) 766-6222

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing motion was
sent by regular mail to: **Margarita Fonseca-Bermudez**, Reg. No. #18157-069, F.C.C.

Coleman-Camp, P.O. Box 1027, Coleman, FL 33521-1027

Sonia Torres